

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Ahmadreza Rofougaran et al.

Serial No.: 09/699,019

Filed: October 27, 2000

For: ADAPTIVE RADIO TRANSCEIVER
WITH A BANDPASS FILTER

Examiner: Marceau Milord

Group Art Unit: 2618

Conf. No.: 5832

Certificate of Transmission

I hereby certify that this correspondence is being transmitted via EFS-Web to the United States Patent and Trademark Office on November 23, 2007.

/Michael T. Cruz/
Michael T. Cruz
Reg. No. 44,636

FEE STATEMENT ACCOMPANYING APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is being submitted together with an Appeal Brief dated November 23, 2007.

It is believed that Applicant has a credit for one Appeal Brief Fee that was paid with respect to a Previous Appeal Brief Fee dated July 18, 2005.

Applicant respectfully requests that the Previous Appeal Brief Fee paid with the Previous Appeal Brief dated July 18, 2005 be applied to the Present Appeal Brief Fee due with the Present Appeal Brief dated November 23, 2007 in accordance with M.P.E.P. § 1207.04.

U.S. Application No. 09/699,019, filed October 27, 2000
Attorney Docket No. 15258US05
Appeal Brief Fee Statement dated November 23, 2007
Accompanying Appeal Brief dated November 23, 2007

The prosecution history, in relevant part, is as follows:

1st Notice of Appeal dated April 18, 2005 (\$500 fee paid)
1st Appeal Brief Filed on July 18, 2005 (\$500 fee paid)
Examiner reopens prosecution on October 7, 2005
Examiner mails Office Action on October 7, 2005

Thus, the Examiner reopened prosecution of the present application without the Appeal Brief ever reaching the Board of Patent Appeals and Interferences for a decision on the merits.

Subsequently, Applicant is now filing a 2nd Appeal Brief dated November 23, 2007. It is therefore believed that Applicant has a credit of \$500 for the 1st Appeal Brief Fee paid back on July 18, 2005.

The relevant portion of the M.P.E.P. is M.P.E.P. § 1207.04, which states:

If, appellant elects to continue prosecution and prosecution was reopened prior to a decision on the merits by the Board of Patent Appeals and Interferences, the fee paid for the notice of appeal, appeal brief, and request for oral hearing (if applicable) will be applied to a later appeal on the same application.

Fee Calculation

\$510 (Present Appeal Brief Fee) — \$500 (Previously Paid Appeal Brief Fee) = \$10 (Residual Appeal Brief Fee still due).

Therefore, Appellant respectfully submits there is only a \$10 Appeal Brief Fee due for the filing of the Present Appeal Brief since Appellants have a \$500 Appeal Brief Fee credit.

The Commissioner is hereby authorized to charge the \$10 Appeal Brief Fee due for filing the Present Appeal Brief dated November 23, 2007 to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

U.S. Application No. 09/699,019, filed October 27, 2000
Attorney Docket No. 15258US05
Appeal Brief Fee Statement dated November 23, 2007
Accompanying Appeal Brief dated November 23, 2007

The Commissioner is hereby also authorized to charge any required fees, to charge any fee deficiencies or to credit any overpayments to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Dated: November 23, 2007

Respectfully submitted,

/Michael T. Cruz/

Michael T. Cruz

Reg. No. 44,636

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